



PATENT

Docket No. 1232-4248US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Tsuyoshi Morofuji

Serial No. : 10/024,421

Group Art Unit: 2851

Filed : December 18, 2001

Examiner: Christopher E. Mahoney

For : VIBRATION CORRECTION APPARATUS AND OPTICAL DEVICE

Mail Stop AF

COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Sir:

This Request for Reconsideration is submitted in response to the Final Rejection dated April 8, 2003. Reconsideration is respectfully requested in view of the following.

Status of the Claims

Pending claims 1-31 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-51 of U.S. Patent No. 6,343,188, commonly owned by the assignee of the instant application. Claims 1-31 have otherwise been deemed allowable over the prior art of record.

Applicant herewith submits a Terminal Disclaimer Under 37 CFR §1.321(c) disclaiming the term of any patent issuing from this application in view of issued patent USP 6,343,188. The filing of this Terminal Disclaimer is not intended to be, nor should it be construed as, an admission as to the merits of this rejection but is merely done to facilitate prosecution and obviate the rejection.

Accordingly, Applicant respectfully requests that this rejection be withdrawn.

CONCLUSION

Based on the foregoing, Applicant respectfully submits that this application is hereby placed in condition for allowance, which action is respectfully requested.

Applicant believes no additional fees are due for this paper and that no extension of time is required for submission of this response, however, should an extension of time be necessary to render this filing timely, such extension is hereby petitioned. The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4248US3.

In the event that a telephone conference would facilitate prosecution of this application in an way, the Examiner is invited to contact the undersigned at the number provided.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: July 2, 2003

Mailing Address:
345 Park Avenue
New York, New York 10154
(212) 758-4800, (212) 751-6849 Facsimile

By:


Stephen J. Manetta
Reg. No. 40,426